

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
JULY 16, 2003

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the REGULAR meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, July 16, 2003, at 7:00 p.m.**, at City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered at the regular monthly meeting:

Call to order.

Invocation.

Pledge of Allegiance to the Flag.

Opening Roll Call:

Present: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Collins, Marquardt, Daul, Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund

Excused: Fewell (Supervisor Fewell arrived at 8:10 p.m.)

Total Present: 25 Total Excused: 1

No. 1 -- Adoption of agenda with the additions of 6a, 6b, 9e(3a) and 10c(i).

A motion was made by Supervisor Gower and seconded by Supervisor Vander Leest **“to adopt the agenda as amended.”** Vote taken. Motion carried unanimously with no abstentions.

No. 2 -- Approval of minutes of County Board Meeting of June 18, 2003.

A motion was made by Supervisor Daul and seconded by Supervisor Nicholson **“to approve the minutes.”** Supervisor Marquardt noted that on page 2 under Late Communications she requested to be excused from being present not excused from voting. Supervisor Marquardt continued that on Page 4 where the minutes stated Supervisor Marquardt requested to be “excused from voting” be corrected to state only “excused”. Vote taken to approve the minutes as corrected. Motion carried unanimously with no abstentions.

No. 3 -- Announcements by Supervisors.

Supervisor Haefs requested to be taken off mailing list for late communications. He feels this is a waste of time and postage.

Supervisor Collins discussed a communication from the Veterans Service Office, which is a state mandated program. He spoke about the numerous calls he received from concerned Veterans about an article in the Press Gazette titled Commitment to Veterans. The article offended the veterans calling him and he felt offended by it too. Supervisor Collins wants the 20,000 Veterans

in Brown County to know we will work to provide a vibrant and efficient Veterans Services Office to help them with their needs.

Supervisors Clancy and Daul would like to invite everyone to the 100th Annual Greenleaf Firemen's Picnic next Saturday night and Sunday.

Supervisor Collins encouraged all supervisors to attend and register early for the Wisconsin Counties Association Meetings in La Crosse from September 14th thru September 17th.

No. 4 -- Communications.

No. 4a -- From Supervisor Tom Lund regarding: Request from Citizens of Town of Suamico asking for consideration of a resolution from Brown County Board of Supervisors supporting the annexation of the remnant Town of Suamico to Village of Suamico.

Refer to Planning, Development and Transportation Committee.

No. 5 -- Late Communications.

No. 5a -- From Supervisor Dan Haefs regarding: A request that Brown County renegotiate a service fee payment in lieu of taxes from the Oneida Tribe.

Refer to Executive Committee.

No. 5b -- From Supervisor Thomas Lund regarding: It has come to my attention that there is some confusion from residents of these communities within Brown County which contract for services with the Brown County Sheriff's Department over whom to call when a situation requires law enforcement. I would like to have phone numbers listed in the phone book for police services in those communities that contract services.

Refer to Public Safety Committee.

No. 5c -- From Supervisor Rick Schadewald regarding: A request for a review by the Administration Committee of two bills, over four thousand dollars (\$4,000) each, for consulting fees paid by the county. Despite previous discussion, I have not received a satisfactory explanation. I ask that this item be placed as an agenda item at the next Administration Committee meeting.

Refer to Administration Committee.

No. 5d -- From Supervisor Rick Schadewald regarding: A request for an investigation by the Administration Committee into the procedures used by the County Executive to hire a new Administration Department Head. I am not talking about the fact that she told the people in Waukesha what she was doing before our own employees knew what was happening. I request an investigation into whether Brown County Code, policies and Human Resources practices were followed in this situation. We should not hire anybody without following our own procedures for hiring and employment. Also, we have never advertised for this position. We should follow normal

policy and appoint an interim director, advertise and find the best possible candidate.

Refer to Administration Committee.

No. 5e -- From Supervisor Nicholson regarding: Requesting the Human Services Committee review the policy enforcement procedures of the Brown County Health Department pertaining to health inspections of Brown County Taverns, Restaurants, etc. I am requesting that the Health Department give a full report to the number of health violations and subsequent citations, which have been issued over the past five years. Also requesting that Human Services review these statistics on an annual basis and report to the full Brown County Board within 60 days of the licensing year.

Refer to Human Services Committee.

No. 5f -- From Supervisor Jane Hansen regarding: that all department heads reporting to Administration Committee be in attendance at all Administration meetings going forward until the date of our Budget (for preparation of the Budget).

Refer to Administration Committee.

No. 5g -- From Supervisor Guy Zima regarding: A request that the County Board consider approving a resolution from the "Save America Manufacturing" (SAM) requesting that our Federal legislators oppose any further extensions of federal "Free Trade Agreements".

Refer to Executive Committee.

A motion was made by Supervisor Kuehn and seconded by Supervisor Collins to **"suspend the rules to allow for a late communication to receive and place on file over 200 signatures collected in a petition drive to support the Mental Health Center."** Voice vote taken. Motion carried.

At this time Ms. Beth Hoffman introduced herself. She explained she is presenting a petition with 212 signatures to be filed with County Executive Carol Kelso. These petitions state "I support to continue County ownership and operation of the Brown County Mental Health Center."

A motion was made by Supervisor Gower and seconded by Supervisor Antonneau to **"return to the regular order of business."** Voice vote taken. Motion carried unanimously

No. 6 -- Appointments by County Executive.

No. 6a -- Confirmation/appointment of Jeff Landin as Director of Administration for Brown County.

A motion was made by Supervisor Kuehn and seconded by Supervisor Nicholson to **"confirm the above appointment."**

A motion was made by Supervisor Schadewald and seconded by Supervisor Marquardt to **“table the appointment of Jeff Landin for one month.”** Vote taken to table one month. Roll Call #6a1:

Ayes: Vanden Plas, Collins, Marquardt, Daul, Fleck, Clancy, Watermolen, and Schadewald

Nays: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Kuehn, Van Deurzen, Moynihan, Simons, Lund

Excused: Fewell

Total Ayes: 8 Total Nays: 17 Excused: 1

Motion defeated.

A motion was made by Supervisor Schadewald and seconded by Supervisor Marquardt to **“refer back to the County Executive and the Administration Committee the confirmation of Jeff Landin as Director of Administration for Brown County.”**

Supervisor Lund asked Corporation Counsel John Jacques if any rules were broken in hiring the two appointments before us?

Mr. Jacques stated that in his opinion no rules were violated and cited State Statutes supporting it. He stated that Executive Kelso followed correct procedure in bringing these appointments to the County Board.

Supervisor Schadewald questioned Mr. Jacques whether any Human Resources practices and procedures were violated by not going through the Human Resources Department. He was particularly concerned about not advertising a vacant position.

Mr. Jacques replied that these practices do not apply to political appointments made by the County Executive.

Mr. Schadewald stated he served with 4 County Executives and has never seen this done without going through the Human Resources Department and following their hiring procedures. He explained that his reason for referring it back is because of these inconsistencies in hiring practices.

Supervisor Marquardt also favors referral for the same reason. She stated that hiring practices were adopted by County Board and policies and ordinances are on file on 6th floor for anyone to review. We must do what is in the best interest of Brown County.

Supervisors Collins, Clancy, Marquardt, and Schadewald spoke in favor of the referral.

Supervisors Miller, Evans, Vander Leest, Zima and Graves spoke against the referral. Vote taken on referral. Roll Call #6a2:

Ayes: Vanden Plas, Collins, Marquardt, Fleck, Clancy, Watermolen, and Schadewald

Nays: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Kuehn, Daul, Van Deurzen, Moynihan, Simons, Lund

Excused: Fewell

Total Ayes: 7 Total Nays: 18 Excused: 1

Motion defeated.

Vote taken on original motion to approve the confirmation of Jeff Landin. Roll Call #6a3:

Ayes: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Kuehn, Van Deurzen, Moynihan, Simons, Lund

Nays: Vanden Plas, Fleck, Clancy, Watermolen, and Schadewald

Abstain: Collins, Marquardt, and Daul

Excused: Fewell

Total Ayes: 17 Total Nays: 5 Abstain: 3 Excused: 1

No. 6b -- Confirmation/Appointment of Bill Dowell as Facilities Director for Brown County.

A motion was made by Supervisor Haefs and seconded by Supervisor Lund to approve the appointment of Bill Dowell. Vote taken. Motion carried unanimously with no abstentions.

No. 7a -- Report by County Executive.

County Executive Carol Kelso stated she will continue to work with Madison on unfunded mandates.

Executive Kelso explained her support for Veterans; citing an article in the Press Gazette, which she felt was not accurately or clearly stated.

Furthermore, she gave a detailed report on the findings of the Blue Ribbon Committee on the Mental Health Center. The Executive explained the many functions and exercises performed by the Blue Ribbon Committee to study the feasibility of the proposed center. She presented three handouts (on file in the County Clerk's Office). One included information on the three types of licenses currently held by the Mental Health Center: (1) Psychiatric Center, (2) Nursing Home and, (3) ICF-MR. Another included a list of people serving on the Blue Ribbon Committee Task Force. A summary of the Task Force's recommendations was provided, which states in part "The Blue Ribbon Task Force does not endorse the currently proposed design of the Brown County Mental Health Center." And, the Task Force asked that their recommendations be thoroughly reviewed by the Board "before a final decision is made on either major renovations to the existing facility or construction of a new facility."

Executive Kelso shared her conversations with various governmental agencies stating they are in agreement that we will see a future trend of deinstitutionalizing people. She talked about various statutes and proposed legislation relating to the Brown County Mental Health Center's operation and the impact on levy costs.

The Executive asked the County Board to consider the Blue Ribbon Committee's recommendations, make them part of the meeting's minutes, and support continuation of this study for an additional six months. (See the following recommendations.)

Blue Ribbon Task Force

A Study of the Brown County Mental Health Center

July 11th, 2003

Fifteen members of this community, knowledgeable about long-term care issues, agreed to serve on the Blue Ribbon Task Force. Their mission was to make a recommendation addressing the future of Brown County's Mental Health Center considering several components: Brown County residents needs, the current long-term care political climate, and the County's present economic realities. These fifteen citizens reviewed over 1,000 pages of information, met with state officials, toured the facility and met with staff.

Members of the Task Force include:

Karl Appleton
John Bloor

CFO – St. Vincent Hospital
President-N.E.W. Curative Rehabilitation, Inc.

John Delwiche	Patient Advocate
Helen Desotell	Owner/Administrator-Santa Maria Nursing Home
Dave Edlbeck	Civil Engineer-Jacobs Engineering Group Inc.
Pat Hickey	Patient Advocate
John Hickey	Retired-Treasurer Fort Howard
Dr. Tom Koehler	President-Aurora Health Care North Region
Chris Koehler	Registered Nurse-Aurora BayCare Medical Center
Mike Konecny	Auditor-Schenck Business Solutions
Rev. John Machek	Chaplain-Bellin Memorial Hospital
Carol Machek	Brown County Aging Resource Center
Dr. Jay Tibbetts	Retired, Volunteer at N.E.W. Community Clinic
Hank Wallace	Retired – NWTC, Dean
Donna Zunker	Executive Director – Grancare Nursing Center

**Blue Ribbon Task Force
Recommendation**

Study of the Brown County Mental Health Center
Brown County, Wisconsin
July 11th, 2003

The Blue Ribbon Task Force does not endorse the currently proposed design of the Brown County Mental Health Center. Before a final decision is made on either major renovation to the existing facility or construction of a new facility, the Task Force strongly recommends:

- A thorough analysis of Brown County's existing public and private sector mental health services and resources;
- A detailed analysis of all services currently provided under each of Brown County Mental Health Center's three licenses and the identification of alternative ways to provide those services;
- The identification of currently unmet and anticipated future needs for a broad spectrum of mental health services to benefit individuals and the community at large;
- A study of opportunities for regionalization of Mental Health Services in which financial risks, losses and savings are shared equitably;
- A comprehensive review of state and federal initiatives, trends and funding options (including family care) that affect mental health delivery systems;
- An analysis of treatment modalities and trends, with particular attention to pharmaceutical advances;
- The development of a comprehensive plan that will provide Brown County citizens with quality mental health services in a financially responsible manner.

The Task Force strongly reminds all parties to this discussion that this should be done in a timely manner.

Blue Ribbon Task Force
A Study of the Brown County Mental Health Center
July 11th, 2003

Number of Licensed Beds	Psychiatric Center		Nursing Home	ICF-MR
	Adolescent	Adult		
	88		106	64
Average Census	6	24	87	59
Average Stay	9 Days	6 Days	Long Term	Long Term
% of out of County Patients	51%	46%	12%	10%
Cost per Day *	\$857	\$542	\$197	\$204
Levy Cost per Day *	\$254	\$194	\$ 21	\$ 53
Patients Days *	2080	8803	21678	32009
Total Levy* \$ 4,379,149	\$ 528,376	\$ 1,705,770	\$ 448,736	\$ 1,696,267

* 2002 Actual Levy \$4,379,149
2003 Estimated Levy \$5,500,000

Supervisor Fewell arrived at 8:10 p.m. and took his seat.

No. 7b -- Report by Board Chairman. None.

No. 8 -- Other Reports. None.

No. 9 -- Standing Committee Reports.

No. 9a -- REPORT OF ADMINISTRATION COMMITTEE OF JUNE 26, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on June 26, 2003, and recommends the following motions;

1. Review minutes of:
 - a. Facilities Master Plan Committee (5/22/03).
Receive and place on file item a.
 - b. Housing Authority (5/19/03).
Receive and place on file item b.

2. "Such Other Matters": Administration Committee to meet at 4:30 p.m. on the first Thursday of each month for the remainder of this term.
3. County Clerk – Resolution regarding: Authorizing an Increase in the Dog License Tax. Committee approved. See Resolutions, Ordinances July County Board.
4. Treasurer – Resolution regarding: In Opposition of Motion 806 as Part of the Proposed State Budget Relating to Delinquent Tax Certificates Sold to Third Parties. Committee approved. See Resolutions, Ordinances July County Board.
5. Treasurer's report. No action.
6. Human Resources – Human Resources Monthly Committee Report (June, 2003). Receive and place on file.
7. Department of Administration – Monthly Activities Report (May 26 through June 13, 2003). Receive and place on file.
8. Department of Administration – 2003 Budget Transfer Log. Receive and place on file.
9. Communication from Supervisor Collins regarding: Review of alleged security breach in the County Executive Office. (Held from previous.) Hold until the next meeting and ask Corporation Counsel to attend.
10. Communication from Supervisor Pat Collins regarding: Request for independent audit of MHC's out-of-county patients. (Referred from June County Board.) Receive and place on file.
11. Audit of Bills. (Bills were audited.)

A motion was made by Supervisor Gower and seconded by Supervisor Kuehn "to adopt." Supervisor Haefs requested to be recorded as "no" on #9 and Supervisors Kuehn and Zima abstained from #1b. Voice vote taken. Motion carried unanimously on remainder of report.

Approved by: \s\ Carol Kelso, County Executive Date: 7/28/2003

No. 9b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF JUNE 26, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION AND RECREATION COMMITTEE met in regular session on June 26, 2003 and recommends the following motions:

1. Review minutes of:
 - a) Museum Subcommittee (6/4/03).
 - b) Library Board (5/16/03).Receive and place on file.
2. Arena/Expo Center – Attendance Report (May 2003). Receive and place on file.
3. Museum – Museum Visitor Count (May 2003). Receive and place on file.

4. Museum – Director’s report. Receive and place on file.
5. Museum – Bids regarding: Museum Reader Board. (*Motion: Accept the lowest bid and instruct Director of Administration, Brendan Bruss, to set up an account to borrow this against admission funding for the next three years.*) Referred back to Education and Recreation Committee from June County Board. Accept Supervisor Antonneau’s recommendation that donations in next year’s account be used to fund the Museum reader board and sign. In the meantime, an attempt will be made to get City of Green Bay approval to find sponsors and to waive the application fee, with the intent to create a public/private partnership.
6. Library – Director’s report. Receive and place on file.
7. Golf Course – Golf Report (6/9/03). Receive and place on file.
8. Golf Course – Daily financial and attendance report (June 8, 2003). Receive and place on file.
9. Golf Course – Request from Robert W. Van Oss, 2792 Lakeview Drive, Suamico, WI 54173, regarding: Reimbursement for remainder of membership for 2003 season at Brown County Golf Course (wrist fracture). Refund \$800 to Robert Van Oss.
10. Golf Course – Superintendent’s report. Receive and place on file.
11. Parks – Discussion of Brown County Fair Association (Judy Knudsen). No action.
12. Discussion and possible action on replacement of Zoo Mobile for NEW Zoo. To accept.
13. Audit of bills. Approve the bills.
14. **Closed Session.** Pursuant to Section 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business since competitive and bargaining reasons required a closed session-deliberating lease of County property. (No Closed Session Held.)

A motion was made by Supervisor Antonneau and seconded by Supervisor Kuehn **“to adopt.”** Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 7/28/2003

No. 9c -- REPORT OF “SPECIAL” EDUCATION AND RECREATION COMMITTEE MEETING OF JULY 16, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION AND RECREATION COMMITTEE met in *“special”* session on July 16, 2003, and recommends the following motions:

1. Resolution regarding: Initial Resolution Authorizing General Obligation Bonds in an Amount Not to Exceed \$306,000 for the purpose of paying the cost of park improvements. Committee approved. See Resolutions, Ordinances July County Board.

A motion was made by Supervisor Kuehn and seconded by Supervisor Gower "to adopt." Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 7/28/2003

No. 9d -- REPORT OF EXECUTIVE COMMITTEE OF JULY 7, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on July 7, 2003 and recommends the following motions:

1. Review minutes of:
 - a) Diversity Affairs Council (6/3/03).
 - b) Legislative Subcommittee (5/28/03).Receive and place on file items a-b.
2. Report by County Executive. (No report.)
3. Communication from Supervisor Rick Schadewald regarding: Request for Brown County Department Heads to attend County Board monthly meetings. (Referred from June County Board.) Receive and place on file.
4. * Communication from Supervisor Pat Collins regarding: Request for reorganization to eliminate Assistant Corporation Counsel and transfer funds to Internal Auditor. (Referred from June County Board.) Study the position of Assistant Corporation Counsel before filling position. Amend that the study be completed within 30 days.
* ITEM #4 TO AMEND BY APPROVING THE POSITION OF ASSISTANT CORPORATION COUNSEL AS PER THE COUNTY BOARD ON 7-16-2003.
5. Communication from Supervisor Pat Collins regarding: Request for County Board to send a thank you letter to Bob Wilmet for his years of service on boards and committees. (Referred from June County Board.) Approve. Ayes: 3 (Antonneau, Daul, Fewell); Nays: 2 (Moynihan, Simons); Excused: 2 (Kaye, Hansen). Motion Carried.
6. ** Communication from Supervisor Steve Fewell regarding: Request for County Board Executive Secretary to attend County Board meetings. (Referred from June County Board.) County Board Executive Secretary attends County Board meetings and takes comp time.
** ITEM #6 REFERRED BACK TO EXECUTIVE COMMITTEE AS PER THE COUNTY BOARD ON 7-16-2003.

7. Communication from Supervisor Pat Collins regarding: Reorganization of the County Departments of Executive Administration and Board. (Referred from Administration Committee of June 5, 2003.) Discuss the position of Deputy Executive Administrator with the County Executive.
8. Ordinance regarding: To Amend Section 3.23 of the Brown County Code of Ordinances Relating to Internal and External Audit Findings. Refer to Corporation Counsel with input from Supervisors Simons and Moynihan.
9. Resolution regarding: Authorizing changes in the Tables of Organization of the Department of Administration and County Board Office. Refer to Corporation Counsel.
10. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85(1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin Open Meetings Law pursuant to 19.82(1) of the Wisconsin State Statutes.
 - a) Enter into closed session.
 - b) Return to regular order of business.
 - c) No action taken.

A motion was made by Supervisor Fleck and seconded by Supervisor Van Deurzen **“to adopt.”** Supervisor Schadewald requested item #5 be taken separately; Supervisor Miller requested #4 be taken separately; and Supervisor Evans requested Items #6 and #7 be taken separately. Motion to approve remainder of report passed unanimously with no abstentions on a voice vote.

Item #4 -- Communication from Supervisor Pat Collins re: Request for reorganization to eliminate Assistant Corporation Counsel and transfer funds to Internal Auditor. Committee Action: Study the position of Assistant Corporation Counsel before filling position. Amend that the study be completed within 30 days.

A motion was made by Supervisor Kuehn and seconded by Supervisor Miller **“to adopt item #4.”**

Supervisor Miller gave a detailed explanation why it is advantageous to hire an Assistant Corporation Counsel.

Supervisor Collins asked the Executive Committee to do a review of the need for 5 attorneys and an assistant corporation counsel. Collins stated it is important to study this prior to budget. Supervisor Zima agrees with the need for an assistant corporation counsel.

Supervisor Vander Leest asked Corporation Counsel Jacques if we are contracting legal work to help with the caseload. Mr. Jacques answered yes. He stated labor cases are costing the county a rate of \$175.00 per hour; and the transfer station case costs \$285.00 per hour. Jacques explained that the Child Support Attorneys salaries are federally funded (90%) and the possibility of losing these funds if they take on other duties.

Supervisor Vander Leest asked Interim Human Resources Director Kathy Koehler for information about Mr. Kalny's role in labor negotiations and his rate of pay. Ms. Koehler said Mr. Kalny continues to assist the county at a rate of \$170 per hour. She stated that the assistant corporation counsel's wages are set at \$29.89 to \$35.69 per hour plus approximately 40% fringe benefits.

Supervisor Lund stated we must move forward and fill the assistant corporation counsel position to save the county money.

Supervisor Johnson asked Mr. Jacques for clarification as to whether the county would still contract out for assistance with labor contracts. He stated that his office handles most labor cases; however, it farms out the labor contracts.

Supervisor Marquardt stated it is not in the best interest of Brown County to make this decision tonight noting that the oversight committee requested more time. Supervisors Collins and Fewell agreed.

Supervisor Miller stated the County Executive can do whatever she wants because we do not have control over the Executive of Brown County government; and he stated we have enough legal work to keep 2 full-time attorneys busy.

Supervisor Vander Leest asked Mr. Jacques for the amount of money spent on contracted services in 2003? Jacques responded that he doesn't have those numbers available tonight. Supervisor VanderLeest added he feels hiring an assistant Corporation Counsel is the best way to go.

Supervisor Schadewald stated he agreed with hiring an Assistant Corporation Counsel. It is his opinion that many departments are overworked and short staffed. He doesn't feel this is a good way to do business.

Supervisor Antonneau questioned Mr. Jacques about whether the County would get relief from expensive contracted legal services by filling this position. Jacques responded he would do the labor litigation work that we are currently contract for at a rate of \$170 per hour.

Vote on Supervisor Miller and Supervisor Zima's motion **"to fill the Assistant Corporation Counsel forthwith."** Roll Call #9d(1):

Ayes: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Daul, Van Deurzen, Fleck, Clancy, Watermolen, Schadewald, Simons, Lund

Nays: Collins, Marquardt, Moynihan, and Fewell

Total Ayes: 22 Total Nays: 4

Motion carried to hire an Assistant Corporation Counsel.

Item #5 -- Communication from Supervisor Pat Collins re: Request for County Board to send a thank you letter to Bob Wilmet for his years of service on boards and committees. Committee Action: Approve. Ayes: 3 (Antonneau, Daul, Fewell); Nays: 2 (Moynihan, Simons); Excused: 2 (Kaye, Hansen). Motion Carried.

A motion was made by Supervisor Schadewald and seconded by Supervisor Kuehn **"to adopt."**

Supervisor Schadewald asked for a roll call vote on sending a thank you note to Bob Wilmet.

Several supervisors spoke to the motion. After extensive discussion a vote was taken on approval of item #5. Roll Call #9d(2):

Ayes: Antonneau, Graves, Gower, Hansen, Kaye, Vander Leest, Johnson, Vanden Plas, Kuehn, Collins, Marquardt, Daul, Van Deurzen, Fleck, Clancy, Watermolen, Schadewald, Lund, Fewell

Nays: Nicholson, Zima, Evans, Moynihan, Simons

Abstained: Miller, Haefs,

Total Ayes: 19 Total Nays: 5 Abstained: 2

Motion carried to approve item #5.

Item #6 -- Communication from Supervisor Steve Fewell re: Request for County Board Executive Secretary to attend County Board meetings. Committee Action: County Board Executive Secretary attends County Board meetings and takes comp time.

A motion was made by Supervisor Evans and seconded by Supervisor Zima **“to adopt.”** Supervisor Fewell explained why he submitted this communication and gave a detailed account why he feels it would be advantageous to have Ms. Anderson attend the County Board meetings. Supervisor Vanden Plas spoke in favor of the motion. Supervisors Nicholson, Evans, Miller, and Zima spoke against the motion.

A motion was made by Supervisor Zima and seconded by Supervisor Marquardt **“to refer item #6 back to committee for clarification.”** Voice vote taken. Supervisor Moynihan voted nay and all remaining supervisors voted in favor of referral. Motion carried to refer item #6 back to Executive Committee.

Item #7 -- Communication from Supervisor Pat Collins re: Reorganization of the County Departments of Executive, Administration, and Board. Committee Action: Discuss the position of Deputy Executive Administrator with the County Executive.

Supervisor Collins explained why he put forward this motion. He noted that Outagamie County has this position and they have found it to be beneficial. Chairman Simons explained that this item did not need action this evening. Instead, he would wait for a referral from the County Executive. Voice vote taken on #7. Motion carried.

Approved by: \s\ Carol Kelso, County Executive Date: 7/28/2003

No. 9e -- REPORT OF “SPECIAL” EXECUTIVE COMMITTEE OF JULY 16, 2003

TO THE MEMBER OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in *“special”* session on July 16, 2003 and recommends the following motions:

1. Notice of intent to amend the bonding plan project request to include the Nicolet Drive reconstruction project (\$650,000) to be matched by City of Green Bay (\$650,000). Committee approved.
2. Resolution regarding: Authorizing the issuance of not to exceed \$10,310,000 General Obligation County Bonds, Series 2003, of Brown County, Wisconsin. (\$6,000,000 for the purpose of airport concourse renovation and expansion; \$4,004,000 for the purpose of paying the cost of renovation of the Greenleaf Shop Facility and highway and bridge improvements; and \$306,000 for the purpose of paying the cost of park improvements.) Committee approved revised amended resolution (Initial Resolution: Authorizing the

Issuance of not to exceed \$10,960,000 General Obligation County Bonds, Series 2003, of Brown County, Wisconsin.) See Resolutions, Ordinances July County Board.

A motion was made by Supervisor Gower and seconded by Supervisor Nicholson **“to adopt.”** Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: /s/ Carol Kelso, County Executive Date: 7/28/2003

No. 9f -- REPORT OF HUMAN SERVICES COMMITTEE OF JUNE 18, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on June 18, 2003 and recommends the following motions:

1. Review minutes of:
 - a) Aging Resource Center (5/23/03).
 - b) Handicapped Children’s Education Board (5/14/03).Receive and place on file a-b.
2. Human Services Department – Calculation of cost on per day basis for out-of-county inpatient at the Mental Health Center Hospital (as requested by Supervisor Pat Collins). The Human Services Committee as the oversight committee, receive any and all information that is relevant to that committee that does not violate patient confidentiality.
3. Human Services Department – Communication from Supervisor Steve Fewell regarding: Request for review of Human Services operational delivery system. Have Mr. Bruss draft an RFP and bring it back to the committee for their review.
4. Request for Budget Transfer: Change in any item within Outlay account, which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category: Chiller Pipes maintenance (\$16,000). Approved.
5. Veterans’ Services – Director’s report. Receive and place on file.
6. Audit of bills. Pay the bills.

A motion was made by Supervisor Fleck and seconded by Supervisor Clancy **“to adopt.”** Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: /s/ Carol Kelso, County Executive Date: 7/28/2003

No. 9g -- **REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION
COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE OF
JULY 10, 2003**

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE & LAND CONSERVATION SUBCOMMITTEE met in regular session on July 10, 2003, and recommends the following motions.

Land Conservation Subcommittee

1. Approve/modify minutes of Land Conservation of June 12, 2003. Approve. Ayes: 3 (Van Deurzen, Vanden Plas, Daul); Nays: 0; Abstain: 1 (Lund); Excused: 2 (Haefs, Peters).
2. Bill McNee, DNR Gypsy Moth Suppression Coordinator, Presentation on Gypsy Moth in Northeast Wisconsin. Receive and place on file.
3. Variance Request for construction of Animal Waste Storage Facility closer than 250-foot setback from adjoining property required in Brown County Code Chapter 26 – Mike Bruecker – Holland Township. (Engineering designs can be viewed at meeting.) Allow variance request for construction of animal waste storage facility closer than 250-foot setback.
4. Review Budget cuts over \$10,000 made in 2003 budget process. Receive and place on file.
5. Director's report. Approve report.
6. Such other matters as authorized by law. Receive and place on file "Thursday Notes".

Planning, Development and Transportation Committee

1. Approve minutes of regular meeting of June 12, 2003. Modify minutes of page 5, per Chuck Larscheid. Approve as amended. Ayes: 3 (Van Deurzen, Vanden Plas, Daul); Nays: 0; Abstain: 1 (Lund); Excused: 1 (Haefs). Motion Carried.
2. Review minutes of:
 - a) Solid Waste Board (4/21/03).
 - b) Harbor Commission (4/14/03).Approve items a-b.
3. Communication from Supervisor Nicholson regarding: Request for a study on housing allowance and report back to their governing entities within 90 days. (Referred from June County Board.) Receive the communication and refer to Brown County Planning Staff as part of comprehensive planning for Brown County.
4. Planning Commission – Communication from Supervisor Zima regarding: Contract for the Brown County Revolving Loan Fund be rescinded and put out for competitive bids. (Tabled from previous meeting.) Direct Planning Director to work with Corporation Counsel and bring the amendments of the Contract to Advance and be able to have five

- months to evaluate, get RFP's and see what the staff requirements would be for the Planning Department to administrate this.
5. Planning Commission – Update regarding: Brown County Comprehensive Plan. Receive and place on file.
 6. Highway – Commissioner's Report. Receive and place on file.
 7. Highway – Update/report on Rite-of-Way Property Request on CTH "PP", Corrigan's Custom Built Structures. Direct the Highway Commissioner to make an Ordinance to sell the property for \$3,000 as soon as they get the actual survey done on the property. Ayes: 3 (Lund, Van Deurzen, Daul); Nays: 1 (Vanden Plas); Excused: 1 (Haefs). Motion Carried.
 8. Highway – Initial Resolution Authorizing General Obligation Bonds in an Amount Not to Exceed \$4,004,000 for the purpose of paying the cost of renovation of the Greenleaf Shop Facility and highway and bridge improvements. Committee approved the Brown County Highway Department Highway, bridge and facility improvement proposed 2003 bonding. See Resolutions, Ordinances July County Board.
 9. Zoning – Discussion regarding: Request for Waiver of double fee on after the fact sanitary permit (Shawn Hoffman Construction). Deny request.
 10. Airport – Request from Budget Transfer: Change in any item within Outlay account which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category: License Plan Inventory System in Equipment-NonOutlay and save \$12,980. Approve budget transfer.
 11. Airport – Ordinance regarding: To Amend Chapter 24 of the Brown County Code Entitled "Airport Zoning Districts." Committee approved to amend Chapter 24 of the Brown County Code entitled "Airport Zoning Districts" Section 24.08 entitled "Administration". See Resolutions, Ordinances July County Board.
 12. Airport – Asbestos Removal Bids. Approve the bid by Robinson Brothers for the removal of asbestos in the Brown County Airport, for a fee not to exceed \$56,250. (See Attached.)
 13. Airport – Budget review with regard to \$10,000 budget cut. (Per request from Chair Daul and Supervisor Schadewald's communication dated May 21, 2003.) Receive and place on file.
 14. Airport – Director's report. No action.
 15. Airport – Initial Resolution Authorizing General Obligation Bonds in an Amount Not to Exceed \$6,000,000 for the purpose of airport concourse renovation and expansion. Authorize the general obligation bonds in an amount not to exceed \$6,000,000 for the purpose of Airport concourse renovation and expansion and a public hearing to be held at the next Planning, Development and Transportation Committee meeting. See Resolutions, Ordinances July County Board.
 16. Port and Solid Waste – Update of transfer station in Village of Hobart. Receive and place on file.
 17. Port and Solid Waste – Report of Tri-County Waste Agreement. Receive and place on file.
 18. Port and Solid Waste – U.S. Oil Wisconsin Department of Transportation HAP (Harbor Assistance Program) grant application. (Discussed with #19.)

19. Resolution regarding: Authorizing a Harbor Assistance Program (HAP) Grant Application. See Resolutions, Ordinances July County Board. Approve a grant application for U.S. Oil Wisconsin Department of Transportation HAP (Harbor Assistance Program), subject to conditions in the Port Director's report. See Resolutions, Ordinances July County Board.
20. Port and Solid Waste – Budget review with regard to \$10,000 budget cut. (Per request from Chair Daul and Supervisor Schadewald's communication dated May 21, 2003.) Receive and place on file.
21. UW-Extension – Approve funds to be received from the Brown County Association for Home and Community Education (BCHCE) in the amount of \$878.90 to purchase 10 folding tables for UW-Extension. Approve.
22. UW-Extension – Approve funds received from UW-Extension in the amount of \$3,725 to be used for intern support for the 2003 National Association of County Agriculture Agents (NACAA) annual meeting being held in Green Bay in July. Approve.
23. UW-Extension – Director's report including a Brown County Fair update. Receive and place on file.
24. Survey – Appointment of Members to Task Force to study Survey Department.
 - a) Set up a cost analysis study group of the County Survey Department.
 - b) The Task Force include 12 members and to advertise for citizen participation.
25. Audit of bills. Accept audit of bills.

Attachment to Item #12

Project: Austin Straubel Airport Asbestos Removal Project #1058
 Date: July 7, 2003 at 2:00 p.m.

Contractor	Total Brown County Cost	Bid Bond – 5% Required
Dore & Associates	Withdrawn	
Robinson Brothers	\$ 56,250.00	Yes

A motion was made by Supervisor Vanden Plas and seconded by Supervisor Daul **“to adopt.”**
 Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 7/28/2003

No. 9h -- REPORT OF PUBLIC SAFETY COMMITTEE REPORT OF JULY 2, 2003

TO THE MEMBERS OF THE BROWN COUNTY
 BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on July 2, 2003, and recommends the following motions:

1. Review minutes of:
 - a) Emergency Medical Services Council (5/21/03).
 - b) Metro Services Subcommittee (No quorum 6/16/03).Receive and place on file items a-b.
2. Update on review of Public Safety Communications. No action.
3. Request of over hire positions in Public Safety Communications. (See motion below.)
4. **Closed Session:** Contemplated closed session pursuant to Section 19.85(1)(c) Wisconsin Statutes, considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, Public Safety Communications Department.
 - a) Enter into closed session.
 - b) Return to regular order of business.
 - c) Approve six over hires that were recommended in item #3. Amend motion to approve three over hires instead of six. Ayes: 2 (Gower, Nicholson); Nays: 3 (Zima, Kaye, Watermolen). Motion Failed.
 - d) Approve three over hires now and three in September. Ayes: 4 (Zima, Nicholson, Kaye, Watermolen); Nays: 1 (Gower). Motion Carried.
5. Communication from Supervisor Pat Collins regarding: County Subsidies of State Government Operations. (Referred from June County Board.) Refer this to our budget session for consideration at budget time.
6. Emergency Management – Emergency Management appointment of Ed Jahnke, second in command. Receive and place on file.
7. Circuit Courts – Budget review with regard to \$10,000 cut and impact of cut on Brown County Government Services. No action.
8. Clerk of Courts – Budget review with regard to \$10,000 cut and impact of cut on Brown County Government Services. No action.
9. District Attorney – Report from District Attorney regarding: providing information pertaining to rates for paper service. (From January meeting to be reported back to committee after 6 months.) Refer this to next meeting of this committee and get a copy of the bidding process that will be used.
10. Volunteers in Probation – Review of statistics and volunteer report. Receive and place on file.
11. Sheriff – Key Factor Report 2003 with Jail Average Daily Population by month and Overtime by expenditures by division/session 2003 – actual through May. Receive and place on file.
12. Sheriff – Overtime for Captain Konrath and Lieutenant Steffen for calendar Year 2003 (through 6/21/03). Hold for one month.
13. Sheriff's Report – Receive and place on file.
14. Sheriff – Sheriff Department supervisor/non-supervisor staffing analysis (Melanie Falk, Human Resources). Receive and place on file.
15. Sheriff – Sheriff department staff report update (Melanie Falk, Human Resources). No action.
16. Audit of bills. Approve the bills.
17. Such other matters as authorized by law.
 - a) Reconsider the minutes of June 4, 2003.

- b) Amend as requested minutes of June 4, 2003.

A motion was made by Supervisor Watermolen and seconded by Supervisor Kaye **“to adopt.”** Supervisor Gower requested that items #4c and 4d be voted on together.

A motion was made by Supervisor Haefs and seconded by Supervisor Gower **“to adopt the remainder of the report.”** Voice vote taken. Motion carried unanimously with no abstentions to adopt the remainder of the report.

Items #4c & 4d – Closed Session to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, Public Safety Communications Department. Committee Action:

#4c – Approve three over hires instead of six. Ayes: 2 (Gower, Nicholson); Nays: 3 (Zima, Kaye, Watermolen). Motion Failed.

#4d – Approve three over hires now and three in September. Ayes: 4 (Zima, Nicholson, Kaye, Watermolen); Nays: 1 (Gower). Motion Carried.

Supervisor Gower explained in detail his motion **“to amend items 4c and 4d of the Public Safety Committee Report to approve 3 over hires in the Public Safety Communications Department.”** Motion seconded by Supervisor Nicholson. Gower said the question is whether or not we hire six as opposed to three new employees. He cited that 3 should be hired now and that the new 911 Dispatch Director should make the determination as to whether three additional employees are needed. Supervisors Schadewald, Clancy, Zima, and Johnson spoke in favor of adding all six positions now. Supervisor Kaye spoke in favor of hiring 2 groups of three employees noting it's too difficult to handle more than three at a time for the 12-week training period. Supervisor Collins asked acting Public Safety Communications Director Paul Ebel if he felt he needed all six employees and, if so, why? Mr. Ebel talked about the department's emergency response problems, their critical workload, and its never-ending staff shortage. He stated this is causing excessive overtime, employee burnout, and an overall crisis in the dispatch center. Supervisor Gower withdrew his motion and Supervisor Nicholson withdrew his second to Gower's motion. Voice vote taken on the main motion of #4c and #4d (of 9h) approving three over hires now and three in September. Motion passed unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 7/28/2003

No. 10 -- Resolutions, Ordinances

No. 10a -- RESOLUTION REGARDING: IN OPPOSITION OF MOTION 806 AS PART OF THE PROPOSED STATE BUDGET RELATING TO DELINQUENT TAX CERTIFICATES SOLD TO THIRD PARTIES

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, Motion 806 of the Joint Finance Committee for the bi-annual state budget 2004-2005 deliberations would allow Delinquent Tax Certificates to be sold to Third Parties, and under existing law a county is the only party allowed to do so; and

WHEREAS, the financially strapped taxpayer had no opportunity for due process regarding the fate of their home and property as to such Third Party sales of Delinquent Tax Certificates; and

WHEREAS, none of the procedures and policies have been specified in this motion leaving taxpayers and counties uncertain as to the full extent of the impact of this proposal; and

WHEREAS, cost of revenue lost by Brown County would be an additional financial burden in these difficult fiscal times; and

WHEREAS, the proposal in Motion 806 becomes impersonal corporate policy versus public interest, and a breakdown of the integrity of the County Treasurer's office by removing a County Treasurer's ability to work for the best interest of the taxpayer and public at large.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors opposes Motion 806 so that all Brown County taxpayers can be treated fairly and justly.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Doyle and to Michael L. Morgan, Secretary of Revenue, for their immediate attention.

Respectfully submitted,
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Antonneau and seconded by Supervisor Graves "to adopt." Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 7/28/2003

No. 10b -- RESOLUTION REGARDING: AUTHORIZING AN INCREASE IN THE DOG LICENSE TAX

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the State of Wisconsin has chosen to set the minimum tax for dog licenses at \$3.00 for a neutered male dog or spayed female dog and \$8.00 for an unneutered male dog or unspayed female dog; and

WHEREAS, the State of Wisconsin has chosen to set the minimum tax for multiple dog licenses at \$35.00 and Brown County has not increased the dog license tax from the state minimum; and

WHEREAS, Wis. Stat. Sec. 174.07 requires the County Clerk to distribute tags and license forms and conduct other administrative activities associated with the dog license program and Wis. Stat. Sec. 174.09(2) provides a county may recover expenses incurred in purchasing supplies for the dog license program; and

WHEREAS, Wis. Stat. Sec. 174.05(3) provides that a county may raise the minimum dog license tax on dogs within its jurisdiction; and

WHEREAS, the County Clerk has requested an increase in the dog license tax to \$3.30 for a neutered male dog or spayed female dog and \$8.30 for an unneutered male dog or unspayed female dog, and \$36.00 for multiple dog licenses in order to help pay the costs of administering the dog license program and the proposed increase in the minimum dog license tax meets the legal requirements outlined in Wis. Stat. Sec. 174.05(3); and

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors adopts the following schedule for dog license taxes:

- | | | |
|-----|-------------------------------------|---------|
| (1) | Neutered male or spayed female: | \$3.30 |
| | Unneutered mail or unspayed female: | \$8.30 |
| (2) | Multiple Dog License: | \$36.00 |

BE IT FURTHER RESOLVED that the Brown County Board of Supervisors approves the expenditure of money collected through the increased dog license tax to offset the costs of the dog license program administered by the County Clerk.

BE IT FURTHER RESOLVED that the Brown County Board of Supervisors ordains that any unused funds collected from the increased dog license tax be returned to the County's General Fund and that this resolution shall become effective on January 1, 2004 for all dog licenses issued on or after that date.

Respectfully submitted,
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Zima and seconded by Supervisor Evans **"to adopt."** Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: /s/ Carol Kelso, County Executive Date: 7/28/2003

No. 10c -- **RESOLUTION REGARDING: INITIAL RESOLUTIONS AUTHORIZING
THE ISSUANCE OF NOT TO EXCEED \$10,960,000 GENERAL
OBLIGATION COUNTY BONDS, SERIES 2003, OF BROWN COUNTY,
WISCONSIN**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

Initial Resolution Authorizing General Obligation Bonds
In an Amount Not to Exceed \$306,000

BE IT RESOLVED by the County Board of Supervisors of Brown County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Bonds in an amount not to exceed \$306,000 for the purpose of paying the cost of park improvements.

BE IT FURTHER RESOLVED by the Board of Supervisors of Brown County, Wisconsin, that change orders in excess of \$10,000 or 25% of the contract price, whichever is less, for such construction shall be submitted to the appropriate oversight committee of the Board of Supervisors of Brown County for prior approval.

Initial Resolution Authorizing General Obligation Bonds
In an Amount Not to Exceed \$6,000,000

BE IT RESOLVED by the County Board of Supervisors of Brown County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Bonds in an amount not to exceed \$6,000,000 for the purpose of airport concourse renovation and expansion.

BE IT FURTHER RESOLVED, by the Board of Supervisors of Brown County, Wisconsin, that change orders in excess of \$10,000 or 25% of the contract price, whichever is less, for such construction shall be submitted to the appropriate oversight committee of the Board of Supervisors of Brown County for prior approval.

Initial Resolution Authorizing General Obligation Bonds
In an Amount Not to Exceed \$4,654,000

BE IT RESOLVED by the County Board of Supervisors of Brown County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Bonds in an amount not to exceed \$4,654,000 for the purpose of paying the cost of renovation of the Greenleaf Shop Facility and highway and bridge improvements including the CTH "A" (Nicolet Drive), CTH "EA" (Eastern Arterial), CTH "V" (Lime Kiln Road), CTH "PP", CTH "U", CTH "F" (Scheuring Road), CTH "U" (Anston Road), CTH "FF" (Hillcrest Drive) and CTH "S", "MM" and "P" bridge projects.

BE IT FURTHER RESOLVED, by the Board of Supervisors of Brown County, Wisconsin, that change orders in excess of \$10,000 or 25% of the contract price, whichever is less, for such improvements shall be submitted to the appropriate oversight committee of the Board of Supervisors of Brown County for prior approval.

Respectfully submitted,
BROWN COUNTY BOARD OF SUPERVISORS
EXECUTIVE COMMITTEE

ATTACHMENT

NOTICE TO ELECTORS RELATING TO BOND ISSUE

PLEASE TAKE NOTICE, that on July 16, 2003, at a meeting of the County Board of Supervisors of Brown County, Wisconsin the following resolution was offered, read, adopted and recorded:

Initial Resolution Authorizing General Obligation Bonds
In an Amount Not to Exceed \$4,654,000

BE IT RESOLVED by the County Board of Supervisors of Brown County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Bonds in an amount not to exceed \$4,654,000 for the purpose of paying the cost of renovation of the Greenleaf Shop Facility and highway and bridge improvements including the CTH "A" (Nicolet Drive), CTH "EA" (Eastern Arterial), CTH "V" (Lime Kiln Road), CTH "PP", CTH "U", CTH "F" (Scheuring Road), CTH "U" (Anston Road), CTH "FF" (Hillcrest Drive) and CTH "S", "MM" and "P" bridge projects.

If within thirty (30) days after adoption and recording of the foregoing resolution there is filed in the office of the County Clerk a petition for referendum on said resolution signed by electors numbering at least Ten Percent (10%) of the number of County electors voting for governor at the last general election, then said resolution shall not be effective unless adopted by a majority of the County electors voting at such referendum. If no such petition is so filed, then the resolution, after adoption and recording, shall be effective without a referendum.

Darlene Marcelle, County Clerk, Brown County
305 East Walnut Street, Green Bay, WI 54305-3600
(920) 448-4039

A motion was made by Supervisor Moynihan and seconded by Supervisor Miller **"to adopt."** Chairman Simons announced that in order for this Bonding Resolution to pass it would need a minimum of 20 votes. Vote taken. Roll Call #10c1:

Ayes: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Collins, Marquardt, Daul, Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Total Ayes: 26

Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Carol Kelso, County Executive Date: 7/28/2003

No. 10c(i) -- RESOLUTION REGARDING: APPROVING CONSTRUCTION OF A NEW MENTAL HEALTH CENTER REFERRED FROM THE APRIL 16, 2003 COUNTY BOARD MEETING

A motion was made by Supervisor Schadewald and seconded by Supervisor Kaye **“to change the July 16, 2003 date to February 18, 2004 and to adopt.”**

Supervisor Schadewald explained that he spoke with the County Executive and both agreed that seven months would be a fair time for the Blue Ribbon Task Force to report back to the County Board. Extensive discussion followed. Vote taken. Roll Call #10c(i)(1):

Ayes: Hansen, Kaye, Vanden Plas, Collins, Marquardt, Fleck, Clancy, Watermolen, Schadewald, Lund, Fewell

Nays: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Zima, Evans, Vander Leest, Johnson, Kuehn, Daul, Van Deurzen, Moynihan, Simons

Total Ayes: 11 Total Nays: 15

Motion defeated to change the date.

A motion was made by Supervisor Evans and seconded by Supervisor Zima **“to take the motion off the table.”** No discussion; however, Supervisor Simons explained a “yes” vote is in support of taking this item off the table and a “no” vote supports keeping it on the table. Vote taken. Roll Call #10c(i)(2):

Ayes: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Zima, Evans, Vander Leest, Daul, Van Deurzen, Moynihan, Watermolen, Schadewald, Simons, Lund

Nays: Hansen, Kaye, Johnson, Vanden Plas, Kuehn, Collins, Marquardt, Fleck, Clancy, Fewell

Total Ayes: 16 Total Nays: 10

Motion carried to take Resolution 10c(i) off the table.

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Miller **“to adopt the resolution to go forward with the construction of a New Mental Health Center.”**

Supervisor Van Deurzen said this Board must act on this Resolution tonight by voting it up or down. He added that he is not in favor of the proposed Mental Health Center but by making this motion he will bring action on it tonight. Discussion followed with several supervisors requesting clarification of the vote. Chairman Simons explained a “yes” vote would adopt the resolution and a “no” vote rejects the resolution.

Discussion followed with Supervisor Schadewald stating he would not support the resolution.

Vote taken. Roll Call #10c(i)(3):

Ayes: Fleck, Clancy

Nays: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Collins, Marquardt, Daul, Van Deurzen, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Total Ayes: 2 Total Nays: 24

Motion defeated to adopt the resolution to construct a New Mental Health Center.

No. 10d -- ORDINANCE REGARDING: TO AMEND CHAPTER 24 OF THE BROWN COUNTY CODE ENTITLED "AIRPORT ZONING DISTRICTS"

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1 - Sec. 24.08 entitled "ADMINISTRATION" is hereby created in Chapter 24 of the Brown County Code ("Airport Zoning Districts") to read as follows:

24.08 ADMINISTRATION. Procedure. The administration of this ordinance requires the cooperation of the affected municipalities Building Inspector and the Airport Director. Whenever a person applies for a building permit within either District A or District B, the affected municipality's Building Inspector shall forward a copy of the "Building Noise Level Reduction Work Sheet" attached or if a satisfactory reduction cannot be met, submit the proposed site plans, architectural drawings or building plan to the Airport Director. Whenever a person applies for a building permit within District C except where structure is more than one-half statute mile from the Airport and less than fifty (50) feet in height, the affected municipality's Building Inspector shall direct applicant to obtain "application for Height Permit" from the Airport Director. The Airport Director or his designees shall review the proposed development and shall either approve or disapprove the proposed development based upon land use recommendations contained within the Austin Straubel International Airport Master Plan Report and the provisions, standards and requirements contained in this ordinance within ten (10) working days. If the proposed development is approved by the Airport Director and meets the requirements of the affected municipality, a building permit may be issued by the municipality. If the proposed development is not approved by the Airport Director, no building permit shall be issued.

Whenever a person applies for a building permit in District C, the municipality's Building Inspector shall inform the person that the property is located in an area subject to occasional noise from aircraft. The Building Inspector, prior to the issuance of a building permit, shall also provide the person with the brochure, prepared by the Airport that discusses the effect of aircraft noise and measures that may be implemented to effectively reduce that noise. In addition, if the proposed development exceeds fifty (50) feet in height, the Building Inspector shall require the person to meet with the Airport Director and get the required permits prior to the issuance of any building permit by the municipality.

Section 2 - This ordinance shall become effective upon passage and publication.

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Haefs and seconded by Supervisor Gower “to adopt.” Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 7/28/2003

Approved by: \s\ Darlene K. Marcelle, County Clerk

Date: 7/31/2003

Approved by: \s\ Kenneth J. Simons, Board Chairman

Date: 7/30/2003

No. 10e -- RESOLUTION REGARDING: AUTHORIZING A HARBOR ASSISTANCE PROGRAM (HAP) GRANT APPLICATION

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, on February 19, 2003 the Brown County Board approved a three-year Harbor Development Statement of Intentions which, in part, described a project consisting of a project for U.S. Oil Company’s eastside liquid bulk dock facility. The project consists of dredging the dock area and construction and rehabilitation of dock facilities for increased movement of international and domestic traffic; and

WHEREAS, in fulfillment of the Brown County Port and Solid Waste Department stated goals to expand commercial port operations and operate as an enterprise fund, Brown County agrees to act as the grant recipient and administrator of a HAP grant for the U. S. Oil Company project; and

WHEREAS, this resolution is conditioned upon an agreement between Brown County and U.S. Oil Company that Brown County will serve as the grant recipient and that U.S. Oil Company in return will agree to assume all grant responsibility; and

WHEREAS, Brown County agrees to administer and oversee the development of the transportation improvement funded by the HAP grant upon its completion; and

WHEREAS, in order to obtain funding for the above described projects, a grant application must be filed by August 1, 2003 with the Bureau of Railroads and Harbors, Wisconsin Department of Transportation, through the Harbor Assistance Program, and it is intended that the grant application will be in the amount of \$193,660, with the local matching share in an amount of \$48,415, and the local share is to be paid by U.S. Oil Company; and

WHEREAS, U.S. Oil Company will convey through a quit claim deed certain real property in the vicinity of this project, to the County, and then the County will in turn lease the dock facility back to the U.S. Oil Company and will charge U.S. Oil Company an annual wharfage charge for use of this property; and

WHEREAS, a copy of the Harbor Assistance Grant Application is attached to the original of this resolution, which is on file in the Brown County Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby makes this formal request for assistance and authorizes the Harbor Assistance Grant application as described herein and hereby accepts the real estate conveyed by U.S. Oil Company, which is conveyed for purposes of this project and authorizes execution of a dock wall lease agreement by the appropriate County officials.

BE IT FURTHER RESOLVED that Brown County, through its Harbor Commission, hereby requests a grant of \$193,660 from the Wisconsin Harbor Assistance Program for the project identified as the new construction and rehabilitation of dock facilities.

BE IT FURTHER RESOLVED that the County Executive and Port Manager are the representatives of Brown County authorized to sign agreements, forms, claims and other required documents binding upon Brown County in connection with the application for Wisconsin Harbor Assistance Program funds. Brown County, through its Harbor Commission, hereby accepts all responsibilities for the operation and maintenance of the new dock facilities upon completion of work funded under a Harbor Assistance Program grant.

BE IT FURTHER RESOLVED that Brown County, through its Harbor Commission, hereby assures that these new dock facilities are consistent with future port expansion. Brown County, through its Harbor Commission, hereby assures that this proposed project is consistent with the three-year Harbor Development Statement of Intentions submitted to WisDOT under the requirements of s.85.095(3), Wis. Stats.

BE IT FURTHER RESOLVED that Brown County, through its Harbor Commission, hereby agrees to provide to the Wisconsin Department of Transportation, in a timely manner, additional analysis or documentation in support of the application, if necessary for the review process.

BE IT FURTHER RESOLVED that Brown County, through its Harbor Commission, hereby warrants that it will provide such amounts of matching funds as may be required up to a maximum amount of \$48,415 upon the signing of a grant agreement and at a time and manner specified by WisDOT.

BE IT FURTHER RESOLVED that said grant application is conditioned upon U.S. Oil Company committing to funding the local cost-share of the local recipient for the transportation improvement grant on behalf of Brown County; and

Respectfully submitted,
HARBOR COMMISSION
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Nicholson and seconded by Supervisor Gower “to adopt.” Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____\s\ Carol Kelso, County Executive Date: 7/28/2003

ATTACHMENT

Block 9) Project Summary:

A. U.S. Oil Company's east side terminal is Wisconsin's only alternative mode of transporting bulk fuels. Westshore Pipe Line delivers 900,000,000 gallons of refined petroleum product to Northeast Wisconsin. If Westshore Pipe Line has pipe line leaks, major repairs, contaminated product, routine or unplanned maintenance, U.S. Oil Company's terminal is the only alternative mode of transporting petroleum products to maintain our industrial, commercial and personal petroleum needs in northeastern Wisconsin.

U.S. Oil will dredge, replace pilings and upgrade the existing pier at its East Side dock located on the Fox River, Green Bay, Wisconsin. This Dock has two pipelines that carry various liquid products to its twenty million gallon facility located on Quincy Street in the City of Green Bay. Currently full shipments of product are unable to come into this area of the port due to lack of navigational depth compounded by low Lake Michigan water levels.

The mooring area will be dredged to 24' below low water datum. Dredging consists of 7,407 cubic yards of material at an estimated cost of \$22.10 per cubic yard. This is approximately 500 by 50 by 8 feet of space. The total cost of dredging is estimated to be \$163,695 with the work-taking place over a two to four week time frame.

2003 soundings range from the south end of the mooring structure at 12' below low water datum to 18' LWD at the north end of the mooring structure. A survey would be done to formally determine the quantity to be dredged.

U.S. Oil will also remove and replace 3-4 pile clusters and replace and upgrade portions of the existing pier. Pull 22 existing steel pipe piles and dispose, pull existing pile cluster and dispose (4 times) Drive 18 each 12" dia x 65' long treated piles for three new pile clusters and cable wrap. Extend current pier horizontally for safe access to vessel and upgrade existing portions of current pier. This cost is estimated at \$128,050, and includes bid preparation, engineering and construction oversight. Work will take place over a two to four week time frame.

In addition there are mobilization and demobilization costs of approximately \$20,700, bringing the total cost of the project to \$312,445.

(Plans, drawings, soundings and other information to be attached.)

B. Work will be performed by County Purchasing Department using sealed bids.

C. Constructing this project allows U.S. Oil Company to more efficiently handle their existing business and expand commercial transportation of liquid bulk products to and from this terminal. One alternative is to continue half loading ships with shared deliveries to Green Bay and Chicago, IL. This results in additional costs, due to inefficiency, of \$300,000 per year. The additional cost is based on reducing eight ½ full ships to four ships at savings of \$75,000/each.

Another alternative is to do nothing long-term. This alternative would eventually result in further silting of the slip, erosion of the piling and eventual complete loss of the existing business to Chicago, IL. Deepening the slip area could result in all shared business with Chicago, IL moved through this improved terminal in Green Bay, WI. If all business were lost to Chicago, IL the increased cost of moving the product by truck from Chicago to Green Bay (where it is consumed) would be \$1,060,000. This is based on 4 ships carrying 3,150,000 gallons moved by truck at \$0.084/gallon.

If Westshore Pipe Line has pipe line leaks, major repairs, contaminated product, routine or unplanned maintenance, and U.S. Oil Company's terminal is the not capable of transporting petroleum products to maintain our industrial, commercial and personal petroleum needs the cost would \$207,000/day or \$75 million per year.

D. Aerial photographs of the project area are included.

E. The ownership of the dock and mooring facilities will be quit claim deed transferred from U.S. Oil Company to Brown County upon successful award of the grant.

F. Time Schedule – Upon successful grant award, Brown County would execute the quit claim deed and the lease agreement with U.S. Oil with in one month. Brown County would then develop and public notice the project bid with in one month. Dredging, dock and mooring facility repairs are expected to be completed within a two-month period by one contractor. Project would begin in Fall of 2003 or Spring of 2004.

Block 11) Feasibility:

Economics

All economic analysis is based on previous business experience of U.S. Oil.

This project will allow U.S. Oil to not only continue receiving products via ships such as calcium chloride, on and off road diesel fuel and gasoline, but to also export diesel fuel. U.S. Oil storage facilities currently can hold approximately 20 million gallons of product. U.S. Oil moves 20 million gallons per month. The U.S. Oil facility is connected to all other Green Bay Area terminals. U.S. Oil has the ability to supply the other inland Green Bay Area terminals, thus having access to additional storage capacity. This facility has access to both water and a product pipeline, Westshore Pipe Line. The pipeline comes directly from Chicago, IL refineries. Additional refineries are located in Detroit, Toledo and Canada. These refineries can be ship product by water to Green Bay. There are also several water only terminals that rely on supply

from these refineries that could be a possible delivery outlet for product from the Green Bay terminal. U.S. Oil is also actively looking, with the assistance of Brown County, City of Green Bay and the Chamber of Commerce for other companies and products to use U.S. Oil's liquid storage terminals.

Economic Impact of increased efficiency through fully utilizing each ship's capacity. Thus reducing the number of deliveries of Calcium Chloride from eight ships to four. This results in transportation savings of \$300,000 per year based on existing volume. The additional cost is based on four ships at \$75,000/each.

Economic Impact of importing refined products would result in \$787,000/year of revenue for U.S. Oil based on five ships delivering 16 million gallons refined products. This business is possible with increased facility depth and regional market conditions that typically occur each spring and fall due to Chicago, IL refinery's maintenance. The regular maintenance results in refined products being economically viable for delivery from Sarnia, Ontario, Canada. In addition, there would be direct, induced and indirect jobs, taxes and economic impact derived from additional throughput.

Anticipated economic impact of increasing calcium chloride volume of 6.3 million gallons at the Green Bay terminal through additional throughput revenue of \$31,500/year. In addition, there would be direct, induced and indirect jobs, taxes and economic impact derived from additional throughput.

U.S. Oil expects to export refined products periodically throughout the year based on market conditions. This business is based on a partnership with Halron Oil Company. Halron Oil recently built a refined products facility for waterborne delivery in Rogers City, MI. This facility is in addition to the other three waterborne facilities in Michigan. Economic Impact of exporting refined products (diesel fuel) would result in \$150,000/year of revenue for U.S. Oil based on five ships delivering 16 million gallons refined products. This business is possible with increased facility depth and regional market conditions. In addition, there would be direct, induced and indirect jobs, taxes and economic impact derived from additional throughput.

Environmental

U.S. Oil Company's terminal is an existing terminal in need of dredging and rehabilitation. This is not a new project and should not warrant an environmental assessment.

Engineering

U.S. Oil Company's terminal is an existing terminal in need of dredging and rehabilitation. This is not a new project and should be easily engineered. Formal engineering plans and drawing will be prepared as part of this project.

Block 13 B.

No other development costs are associated with the proposed project.

Block 14

Maintenance Dredging is expected to occur in 2014 and 2024. The expected cost perform maintenance dredging is estimated at \$225,000. Annual revenue documentation is explained under Block 11.

Block 15

A. Created

Direct jobs created as a result of this project's increased volume would be three jobs including two trucking positions, one terminal operator. Should this project result in new liquid bulk business through the terminal an additional six positions will be created including one manager, one salesperson, two terminal operators and two trucking positions.

B. Lost

Direct jobs lost as a result of not constructing this project and losing all calcium chloride business would be nine positions including; one terminal operator, two trucking positions and six applicators.

No. 11 -- Such other matters as authorized by law.

A motion was made by Supervisor Haefs and seconded by Supervisor Lund **“to suspend the rules to allow for two late communications.”** Voice vote taken. Motion carried unanimously with no abstentions.

No. 11a -- Late Communication from Supervisor Lund regarding: I would support the Blue Ribbon Panel to report their findings monthly to the Human Services Committee over the next 6 months and then in February of 2004 to give their final report to the Brown County Board at its monthly meeting.

Refer to Human Services Committee.

No. 11b -- Late Communication from Supervisor Gower regarding: To terminate the contractual relationship with Millennium Architects.

Refer to Human Services Committee, Administration Committee, and Executive Committee.

No. 12 -- Bills over \$10,000 for period ending July 2, 2003.

A motion was made by Supervisor Antonneau and seconded by Supervisor Johnson **“to approve the bills over \$10,000.”** Voice vote taken. Motion carried unanimously with no abstentions.

No. 13 -- Closing Roll Call.

Present: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Kuehn, Collins, Marquardt, Daul, Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Total Present: 26

No. 14 -- ADJOURNMENT TO WEDNESDAY, AUGUST 20, 2003, AT 7:00 P.M., LEGISLATIVE ROOM #203, CITY HALL, 100 NORTH JEFFERSON STREET, GREEN BAY, WISCONSIN.

DARLENE K. MARCELLE
Brown County Clerk